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| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
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EXAMINER

CUFF, MICHAEL A

ART UNIT

PAPER NUMBER

3627

DATE MAILED: 03/20/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/216,985

Applicant(s)

Honarvar

Examiner

Michael Cuff

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136 (a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on Feb 19, 2003.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11; 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-11 and 22-37 is/are pending in the application.
- 4a) Of the above, claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-11 and 22-37 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claims _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgement is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
*See the attached detailed Office action for a list of the certified copies not received.
- 14) ☒ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. § 119(e).
a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892) 4) ☐ Interview Summary (PTO-413) Paper No(s). _____
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948) 5) ☐ Notice of Informal Patent Application (PTO-152)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s). _____ 6) ☐ Other:

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DETAILED ACTION

Amendment

1. Applicant's amendment D, filed 1/23/03, have been received and entered because of the RCE filed 2/19/03. Independent claims 1, 26, 28 and 29 have been amended.

Claim Rejections - 35 USC § 103

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. Claims 1-11 and 22-37 are rejected under 35 U.S.C. 103(a) as being unpatentable over Walker et al. (6,088,686) in view of Hoover et al..

Walker et al. shows all of the limitations of the claims except for specifying that the customer and account data are loaded prior to the evaluating.

Walker et al. Shows, figures 1A and 1B, the system and method of the present invention provide on-line processing of applications in real time (single pass, one time data input, means for evaluating), thus providing conditional approvals, pending required verifications. The system has a front-end processing system (blocks 14 and 16) that provides an immediate review of the results of analyzing an applicant's credit bureau history (blocks 28, 30, 32 and 34) (account data, 30, 32,

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34 provide virtual attributes) and automated credit scoring. The system and method of the present invention involves the unique processing of a new or existing customer relationship (blocks 18, 20 and 24, virtual attributes) (customer data) into the credit decision request. Via on-line real-time integration of the many systems (block 52) involved in the process, all of the existing customer's accounts (each of customer's accounts, some can be of the same type) are systematically and automatically reviewed (all customer and account data loaded without additional data) during the application session to determine the aggregate balance amount, which gives rise to the best price being offered to the existing customer 10 (evaluating customer) for the requested credit product. This feature enables the ability to provide new or existing customers (block 10) with an up-front conditional approval based on systematic evaluation of credit bureau history, credit score (virtual attribute), debt burden (virtual attribute), credit policies and the customer's relationship (virtual attribute) with the financial institution, (separate extracts, different data sources, plurality of extracts) subject to required verifications.

The Maximum Debt Burden Offer provides applicants requesting credit (revolving or closed-end) with the maximum allowable line of credit or loan amount, whose estimated payment for the requested product, in addition to all known debt payments (applicant provided debt, including rent or mortgage payments, and credit bureau derived payments) (different accounts with different strategies), would not exceed the product specified parameters (line assignment tables) up to the designated controlling debt burden table parameter.

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Any label for a term is a virtual attribute. For example, credit limit less the balance is equal to the available credit. In this example, the terms "credit limit", "balance" and "available credit" are all virtual terms because they are all attributes with no explicit data value. (See applicant's definition on page 18, lines 11-13 of the specification.) These attributes do represent a series of non-virtual attributes which have explicit values. The examiner has indicated many "virtual attributes" throughout the sighted reference. The "non-virtual attributes" are inherent as the collection of attributes which make up a "virtual attribute".

A series of tables in the application processing system (ACAPS 26) contains the price points for each product that has multiple price points (iterative function, iterative matrix). The tables also provide the name of the characteristic (such as balance amount, virtual attribute), the break point(s)(virtual attribute) (such as less than \$1500, greater than or equal to \$1500, etc.), and the resulting price(s)(virtual attribute). Other table values within ACAPS 26 determine whether the automated pricing routines should be used or not used (first iterative decision tree, iterative for each new account requested by customer). Assuming the routines are used, ACAPS 26 calls (first iterative function calls second) upon another bank system (block 52), which aggregates all of the customer's balances (second iterative matrix function, iterating through a number of accounts) to obtain the aggregated balance amount to be used in conjunction with the pricing tables to determine the price to be offered to the applicant 10.

Hoover et al., figure 16, shows a method and system for object-based relational distributed databases. Each of the remotely located user computers comprises a heterogeneous data

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structure, and data is "homogenized" by mapping predetermined data fields items stored in the heterogeneous user computers to corresponding object attributes associated with a predetermined instance of an object, where the object is determined by an object model that relates to all of the heterogeneous user computers connected to the system. The object attributes are stored in an object attribute table in the remote user computers in association with object identifiers. Preferably, the data items associated with the subject are stored in a separate, homogenized object-based remote database physically located at the customer's site (all data loaded prior to use), in association with the object identifier stored in the object attribute table. The object attribute tables are indexed at the remote databases for rapid searching and access by object identifier. (Column 6, lines 1-15)

Accordingly, it is an objective of the present invention to provide a distributed database computer system that overlays a homogeneous data model upon a plurality of possibly remotely located and possibly heterogeneous database systems or structures, so as to facilitate the retrieval and synchronization of information in a global fashion. (Column 6, lines 57-62)

Based on the teaching of Hoover et al., it would have been obvious to one of ordinary skill in the art, at the time the invention was made, to modify the Walker et al. system and method to incorporate the Hoover et al. method of data collection for the Walker et al. heterogeneous group of "on-line bank data access system", "global customer information file" and the "front end processing and communications system" prior to evaluation, in order to facilitate the retrieval and synchronization of information in a global fashion.

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Response to Arguments

4. Applicant's arguments filed 1/31/03 have been fully considered but they are not persuasive.

Applicant asserts that Walker shows the processing of only a SINGLE application, not multiple applications. Therefore Walker does not show the use of an iterative function to evaluate more than one account. The examiner does not concur. Applicant's attorney is comparing applications with accounts which is not relevant. Walker does show that the customer's accounts are systematically and automatically reviewed. This is an iterative (repetitive) function for each account. Figures 40-51 show the process of an application which does not loop back. However, individual steps such as steps 2052 and 2116 require an iterative or repetitive review of the customer's accounts in order to complete the step. The examiner and applicant seem to be at an impasse on exactly what the term "an iterative function" means. Webster's Ninth New Collegiate Dictionary defines iterative as "relating to or being computational iteration", where "iteration" is defined as "the action or a process of iterating or repeating." The examiner's view is that the Walker et al. reference shows a system and method of evaluating a customer's application by a means of extracting information from all of the customer's accounts. The process in which the information is extracted from each account is repeated for each account. Therefore, the Walker et al. reference meets the metes and bounds of the broadly recited claim language.

Arguments to data being loaded at a time prior to evaluating are moot in light of a new rejection.

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Conclusion

5. Any inquiry concerning this communication should be directed to Michael Cuff at telephone number (703) 308-0610.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Group receptionist whose telephone number is (703) 308-1113. The fax phone number for this Group is (703) 872-9326. (After Final special fax number (703) 872-9327) The customer service number is (703) 872-9325.

 3/18/03
Michael Cuff
March 18, 2003